

EXHIBIT A

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

MICHELE SERFASS,

Plaintiff,

vs.

LVNV FUNDING, LLC,

Defendant.

CIVIL DIVISION

ELECTRONICALLY FILED

Case No. AR-21-002525

COMPLAINT IN CIVIL ACTION

**Filed on Behalf of Plaintiff:
Michele Serfass**

**Counsel of Record for this Party:
J.P. WARD & ASSOCIATES, LLC**

**Joshua P. Ward
Pa. I.D. No. 320347**

**J.P. Ward & Associates, LLC
The Rubicon Building
201 South Highland Avenue
Suite 201
Pittsburgh, PA 15206**

**Telephone: (412) 545-3015
Fax No.: (412) 540-3399
E-mail: jward@jpward.com**

NOTICE TO DEFEND

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. **IF YOU CANNOT AFFORD TO HIRE A LAWYER,** this office may be able to provide you with information about agencies that may offer legal service to eligible persons at a reduced fee or no fee:

**LAWYER REFERRAL SERVICE
11TH FLOOR KOPPERS BUILDING,
436 SEVENTH AVENUE
PITTSBURGH, PENNSYLVANIA 15219
TELEPHONE: (412) 261-5555**

HEARING NOTICE YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in the Compulsory Arbitration Center. Report to the Arbitration Assembly Room, Courtroom Two, Seventh Floor City-County Building, 414 Grant Street, Pittsburgh, Pennsylvania 15219, on October 12, 2021, at 9:00 A.M.

IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. DUTY TO APPEAR AT ARBITRATION HEARING IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING. THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.

NOTICE: You must respond to this complaint within twenty (20) days or a judgment for the amount claimed may be entered against you before the hearing. If one or more of the parties is not present at the hearing, the matter may be heard immediately before a judge without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

MICHELE SERFASS,

CIVIL DIVISION

Plaintiff,

ELECTRONICALLY FILED

vs.

Case No. AR-21-002525

LVNV FUNDING, LLC,

Defendant.

COMPLAINT

AND NOW, comes Plaintiff, Michele Serfass, by and through the undersigned counsel, J.P. Ward & Associates, LLC and, specifically, Joshua P. Ward, Esquire, who files the within Complaint in Civil Action against Defendant, LVNV Funding, LLC, of which the following is a statement:

PARTIES

1. Plaintiff, Michele Serfass (hereinafter "Michele Serfass"), is an adult individual who currently resides at 3028 S 5th Avenue, Whitehall, Pennsylvania 18052.
2. Defendant, LVNV Funding, LLC, (hereinafter "LVNV Funding"), is a corporation with its principal place of business located at 6801 South Cimarron Road, Suite 424J, Las Vegas, Nevada 89113-2273.

JURISDICTION AND VENUE

3. Jurisdiction is proper as Plaintiff brings this lawsuit under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter, the "FDCPA").
4. Venue is proper pursuant to Pa.R.C.P. 2179(a)(2) because Defendant regularly conducts business in Allegheny County, Pennsylvania, and because Defendant is subject to general jurisdiction of Allegheny County, Pennsylvania.

PROCEDURAL HISTORY AND FACTUAL ALLEGATIONS

5. On February 3, 2020, LVNV Funding, filed a Civil Complaint against Michele Serfass in Magisterial District Court at Docket Number: MJ-31107-CV-0000033-2020. A true and correct copy of the Docket is attached hereto, made a part hereof, and marked as Exhibit "A".

6. In response to the aforesaid lawsuit, Michele Serfass engaged The Law Firm of Fenters Ward for representation.

7. On February 28, 2020, The Law Firm of Fenters Ward served LVNV Funding with a letter, (hereinafter, the "First Dispute Letter") wherein LVNV Funding was informed of the disputed nature regarding the alleged debt and that Michele Serfass was represented by counsel. A true and correct copy of the First Dispute Letter is attached hereto, made a part hereof, and marked as Exhibit "B".

8. This First Dispute Letter specifically stated that Michele Serfass "denie[d] owing LVNV Funding LLC any amount of money" and informed LVNV Funding LLC that Michele Serfass disputed any and all "Debts" LVNV Funding claimed to possess. See Exhibit "B".

9. "Debts" as defined within the First Dispute Letter delineated and included "any related debt(s) and/or credit account(s) your company [LVNV Funding] claims to have, sold, purchased and/or assigned from yourself, another creditor, debt buyer or other entity as of the date of this letter. See Exhibit "B".

10. Within the First Dispute Letter, The Law Firm of Fenters Ward demanded "proof of liability, accounting and ownership of these alleged accounts. The proof shall include any agreements and amendments thereto, any other written or signed documents agreed to by my client, as well as a complete history of billing statements reflecting how you calculated the current

amount claimed, owed, reported to the collection and/or credit agencies and complete copies of any assignment documentation evidencing your ownership rights to the specific accounts.” See Exhibit “B”.

11. Following the First Dispute Letter, LVNV Funding possessed a duty to reflect the disputed nature of any and all tradelines associated with Michele Serfass and to communicate said disputed nature to any and all credit reporting agencies.

12. Furthermore, LVNV Funding was directed to cease and desist from contacting Michele Serfass directly. See Exhibit “B”.

13. On February 28, 2020, The Law Firm of Fenters Ward filed an Entry of Appearance and an Intent to Defend on Michele Serfass’s behalf. True and correct copies of the Entry of Appearance and Notice of Intent to Defend are attached hereto, made a part hereof, and marked as Exhibit “C”.

14. On July 1, 2020, a Civil Action Hearing was held before the Honorable Todd Heffelfinger, Magisterial District Judge. See Exhibit “A”.

15. On July 1, 2020, at the conclusion of the Civil Action hearing, Judge Todd Heffelfinger granted a JUDGMENT FOR DEFENDANT in favor of Michele Serfass and against LVNV Funding. A true and correct copy of the Notice of Judgment is attached hereto, made a part hereof, and marked as Exhibit “D”.

16. On July 31, 2020, LVNV Funding’s appeal period expired, making Judge Todd Heffelfinger’s JUDGMENT FOR DEFENDANT a final judgment: rendering the alleged debt extinguished, invalid, and unenforceable.

17. On August 5, 2020, LVNV Funding furnished credit information about Michele Serfass to TransUnion as LVNV Funding “updated” the tradeline associated with the alleged and

extinguished debt. A true and correct copy of the tradeline is attached hereto, made a part hereof, and marked as Exhibit “E”.

18. LVNV Funding failed to remove the tradeline pertaining to the alleged and extinguished debt and instead reported the abovementioned tradeline as “Remarks: ACCT INFO DISPUTED BY CONSUMR; >PLACED FOR COLLECTION<” and “Pay Status: >In Collection<”. See Exhibit “E”.

19. This controverted the alleged, extinguished, and unenforceable nature of the alleged debt and purported the alleged debt to be enforceable.

20. Therefore, LVNV Funding communicated credit information that is known or should be known to be false in violation of 15 U.S.C. § 1692e(8) of the FDCPA.

21. Furthermore, LVNV Funding falsely represented the character and legal status of the alleged and extinguished debt upon purporting the tradeline to be enforceable in violation of 15 U.S.C. § 1692e(2)(a) of the FDCPA.

COUNT I
VIOLATIONS OF THE FDCPA, 15 U.S.C. § 1692, *et seq.*

22. Plaintiff incorporates the allegations contained in the paragraphs, above, as if fully set forth at length herein.

23. There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy. 15 U.S.C. 1692(a).

24. The purpose of the FDCPA is to “eliminate abusive debt collection practices by debt collectors, to ensure that those debt collectors who refrain from using abusive debt collection

practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.” 15 U.S.C. § 1692(e).

25. Michele Serfass is a “consumer” as defined by § 1692a(3) of the FDCPA.

26. LVNV Funding is a “debt collector” as defined by § 1692a(6) of the FDCPA.

27. Upon information and belief, the alleged “debt” arises out of an alleged transaction entered into primarily for personal, family, or household purposes. “The term ‘debt’ means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.” 15 U.S.C. § 1692a(5).

28. The Third Circuit has held that the FDCPA is to be enforced by private attorney generals. *Weiss v. Regal Collections*, 385 F.3d 337, 345 (3d. Cir. 2004).

29. Section 1692e of the FDCPA provides:

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: (2) The false representation of – (A) the character, amount, or legal status of any debt; (8) Communicating or threatening to communicate to any person credit information which is known or which should be known to be false, including the failure to communicate that a disputed debt is disputed.

15 U.S.C. § 1692e of the FDCPA.

30. On July 31, 2020, LVNV Funding’s appeal period expired, making the Judgment of Judge Todd Heffelfinger a final judgment which then rendered the alleged debt extinguished, invalid, and unenforceable.

31. On August 5, 2020, LVNV Funding furnished information regarding the alleged, extinguished, invalid, and unenforceable debt to TransUnion.

32. LVNV Funding reported that the tradeline associated with the abovementioned alleged and extinguished debt was “Remarks: ACCT INFO DISPUTED BY CONSUMR; >PLACED FOR COLLECTION<” and “Pay Status: >In Collection<.” See Exhibit “E”.

33. This communication of credit information associated with the alleged and extinguished debt controverted its extinguished, invalid, unenforceable nature and thereby constituted a false representation of the character and legal status of the alleged debt in violation of 15 U.S.C. § 1692e(2)(a) of the FDCPA.

34. By controverting the alleged, extinguished, invalid, and unenforceable nature of the alleged debt, LVNV Funding thereby communicated credit information which is known or which should be known to be false and thus violated 15 U.S.C. § 1692e(8) of the FDCPA.

35. Furthermore, LVNV Funding failed to remove the tradeline pertaining to the alleged and extinguished debt. See Exhibit “E”.

36. The continued reporting of the alleged, extinguished, invalid, and unenforceable debt purported said alleged debt to be enforceable.

37. Therefore, LVNV Funding once again falsely represented the character and legal status of an alleged debt in violation of 15 U.S.C. § 1692e(2)(a) of the FDCPA and communicated credit information which is known or which should be known to be false in violation of 15 U.S.C. § 1692e(8) of the FDCPA.

38. Section 1692d of the FDCPA provides, in relevant part: “A debt collector may not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.”

39. Here, the only natural consequence of LVNV Funding's acts of willfully communicating credit information which was known to be false was to harass, oppress, and abuse Michele Serfass.

40. As such, LVNV Funding's conduct, as set forth above, violated 15 U.S.C. § 1692d of the FDCPA.

41. Section 1692k(a) of the FDCPA provides, in relevant part:

...any debt collector who fails to comply with any provision of this subchapter with respect to any person is liable to such person in an amount equal to the sum of – (1) any actual damages sustained by such person as the result of such failure; (2)(A) in the case of any action by an individual, such additional damages as the court may allow, but not exceeding \$1,000; and (3) in the case of any successful action to enforce the foregoing liability, the costs of the action, together with a reasonable attorney's fee as determined by the court.”

15 U.S.C. § 1692k(a) of the FDCPA.


42. As a direct and proximate result of LVNV Funding's violations of the FDCPA, as set forth above, Michele Serfass has suffered annoyance, anxiety, embarrassment, emotional distress, and severe inconvenience.

WHEREFORE, Plaintiff, Michele Serfass, respectfully requests that this Honorable Court enter judgment in their favor and against Defendant, LVNV Funding LLC, and enter an award of monetary damages as described herein, not in excess of arbitration limits, including an award for actual damages, statutory damages pursuant to 15 U.S.C. § 1692k(a), costs and attorney's fees pursuant to 15 U.S.C. § 1692k(a), and such other and further relief as this Honorable Court deems just and proper.

JURY TRIAL DEMANDED UPON APPEAL OR REMOVAL.

Respectfully submitted,

J.P. WARD & ASSOCIATES, LLC

By: 

Joshua P. Ward (Pa. I.D. No. 320347)

Kyle H. Steenland (Pa. I.D. No. 327786)

J.P. Ward & Associates, LLC

The Rubicon Building

201 South Highland Avenue

Suite 201

Pittsburgh, PA 15206

Counsel for Plaintiff

Date: June 14, 2021

EXHIBIT A

Magisterial District Judge 31-1-07**DOCKET**

Docket Number: MJ-31107-CV-0000033-2020

Civil Docket

LVNV Funding LLC C/O Patenaude & Felix, A.P.C.

v.

Michele Serfass

Page 1 of 2

CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Todd P. Heffelfinger	<u>File Date:</u>	02/03/2020
<u>Claim Amount:</u>	\$1,331.75	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>		<u>County:</u>	Lehigh

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Schedule</u>	<u>Judge Name</u>	<u>Status</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>	
Civil Action Hearing	03/05/2020	11:00 am	Magisterial District Judge Todd P. Heffelfinger	Continued
Civil Action Hearing	04/02/2020	2:45 pm	Magisterial District Judge Todd P. Heffelfinger	Continued
Civil Action Hearing	07/01/2020	2:00 pm	Magisterial District Judge Todd P. Heffelfinger	Scheduled

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Serfass, Michele	Whitehall, PA 18052
Plaintiff	LVNV Funding LLC C/O Patenaude & Felix, A.P.C.	Canonsburg, PA 15317

DISPOSITION SUMMARY

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-31107-CV-0000033-2020	LVNV Funding LLC C/O Patenaude & Felix, A.P.C.	Michele Serfass	Judgment for Defendant	07/01/2020

MDJS 1200

Printed: 01/05/2021 11:17 am

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assumes any liability for inaccurate or delayed data, errors or omissions on these docket sheets. You should verify that the information is accurate and current by personally consulting the official record repositing in the court wherein the record is maintained.

Magisterial District Judge 31-1-07**DOCKET**

Docket Number: MJ-31107-CV-0000033-2020

Civil Docket

LVNV Funding LLC C/O Patenaude & Felix, A.P.C.

v.

Michele Serfass

Page 2 of 2

ATTORNEY INFORMATION**Private****Name:** Brian J. Fenters, Esq.**Representing:** Serfass, Michele**Counsel Status:** Active - Entry of Appearance**Supreme Court No.:** 320202**Phone No.:** 412-545-3016**Address:** The Law Firm of Fenters Ward
201 South Highland Avenue, Suite 201
Pittsburgh, PA 15206**Entry of Appearance Filed Dt:** 02/28/2020**Withdrawal of Entry of Appearance Filed Dt:****Complainant's Attorney****Name:** Timothy Thomas Graham, Esq.**Representing:** LVNV Funding LLC C/O Patenaude & Felix, A.P.C.**Counsel Status:** Active - Entry of Appearance**Supreme Court No.:** 325822**Phone No.:** 412-429-7675**Address:** Patenaude & Felix APC
501 Corporate Drive Southpointe Center Suite 205
Canonsburg, PA 15317**Entry of Appearance Filed Dt:** 02/03/2020**Withdrawal of Entry of Appearance Filed Dt:****Complainant's Attorney****Name:** Gregg Lawrence Morris, Esq.**Representing:** LVNV Funding LLC C/O Patenaude & Felix, A.P.C.**Counsel Status:** Active - Entry of Appearance**Supreme Court No.:** 069006**Phone No.:** 412-429-7675**Address:** Patenaude & Felix, A.P.C.
501 Corporate Dr Ste 205
Canonsburg, PA 15317**Entry of Appearance Filed Dt:** 02/03/2020**Withdrawal of Entry of Appearance Filed Dt:****DOCKET ENTRY INFORMATION**

Filed Date	Entry	Filer	Applies To
07/01/2020	Judgment for Defendant	Magisterial District Court 31-1-07	Michele Serfass, Defendant
03/02/2020	Intent to Defend Filed	Michele Serfass	Michele Serfass, Defendant
02/28/2020	Entry of Appearance Filed	Brian J. Fenters, Esq.	Michele Serfass, Defendant
02/20/2020	Certified Civil Complaint Accepted	Magisterial District Court 31-1-07	Michele Serfass, Defendant
02/03/2020	Certified Civil Complaint Issued	Magisterial District Court 31-1-07	Michele Serfass, Defendant
02/03/2020	Entry of Appearance Filed	Gregg Lawrence Morris, Esq.	LVNV Funding LLC C/O Patenaude & Felix, A.P.C., Plaintiff
02/03/2020	Civil Complaint Filed	LVNV Funding LLC C/O Patenaude & Felix, A.P.C.	

EXHIBIT B



THE LAW FIRM OF
FENTERS WARD
AIM TO WIN

201 SOUTH HIGHLAND AVE., SUITE 201
PITTSBURGH, PA 15206

BRIAN FENTERS, ESQ.
JOSHUA WARD, ESQ.

MANAGING PARTNERS

412-545-3016 OFFICE
412-540-3399 FAX

February 28, 2020

LVNV Funding LLC
c/o Gregg Lawrence Morris, Esq.
Patenaude & Felix APC
501 Corporate Dr.
Southpointe Center, Suite 205
Canonsburg, PA 15317

Sent via U.S. Mail

Re: Our Client: Michele Serfass
Docket Number: MJ-31107-CV-0000033-2020
Account #'s: XXX

To Whom It May Concern:

Please accept this letter as confirmation of my representation of **Michele Serfass** with a current address of **3028 S. 5th Ave., Whitehall, PA 18052**. My representation of the above-mentioned client includes any related debt(s) and/or credit account(s) your company claims to have, sold, purchased and/or assigned from yourself, another creditor, debt buyer or other entity as of the date of this letter (the "Debts"). Please cease and desist any further communications with my client as it relates to the collection of Debts.

According to my client, your company has been reporting the above-referenced accounts to collection and/or credit agencies. My client denies owing **LVNV Funding LLC** any amount of money and demands proof of liability, accounting and ownership of these alleged accounts. The proof shall include any agreements and any amendments thereto, any other written or signed documents agreed to by my client, as well as, a complete history of billing statements reflecting how you calculated the current amount claimed, owed, reported to the collection and/or credit agencies and complete copies of any assignment documentation evidencing your ownership rights to the specific accounts.

Pursuant to the Consumer Financial Protection Act (CFPA) 12 U.S.C. 5533(a) and the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692 *et seq.* we request that you provide additional documents related to the Debt you claim is owed by our client:

1. the original account-level documentation reflecting all purchases, payments, or other actual uses of the account;
2. a document signed by our client evidencing the opening of the account forming the basis for the debt;
3. the name of the creditor at the time of charge-off, including the name under which the creditor did business with our client;

4. the last four digits of the account number associated with the debt at the time our client's last monthly account statement, or, if not available, at the time of charge-off; the charge-off balance;
5. *LVNV Funding* method of calculating any amount claimed in excess of the charge-off balance;
6. a copy of the statement where *LVNV Funding* offered to provide our client (within 30 days of a written request) with copies of a document signed by our client evidencing the opening of the account forming the basis for the debt; and the original account-level documentation reflecting a purchase, payment, or other actual use of the account.

Please be advised that at all times relative hereto, we are disputing this debt under the FDCPA, FCRA, FCEUA and/or the UTPCPL. **AS SUCH YOU MUST 1) NOTIFY ANY CRAs YOU HAVE FURNISHED INFORMATION TO THAT THIS TRADE LINE IS DISPUTED; 2) YOU MUST CEASE ALL COLLECTION ATTEMPTS AND DELETE THE TRADE LINE UPON FINAL DISMISSAL OF THE DEBT COLLECTION LAWSUIT IF JUDGMENT IS RENDERED IN FAVOR OF DEFENDANT.** You may direct the requested proof to my office at the address listed above. **YOU HAVE THIRTY (30) DAYS TO PROVIDE THE REQUESTED PROOFS.** All future correspondence or contact shall be directed to my office until my office provides written confirmation of termination of legal representation, if such termination should ever occur. **YOU MUST PROVIDE THIS NOTICE TO ANY ASSIGNEE, TRANSFEREE OR SUBSEQUENT OWNER OF THIS OR ANY DEBT. IF YOU FAIL IN ANY OF THESE REGARDS, YOU WILL BE SUBJECT TO LIABILITY UNDER FEDERAL AND STATE CONSUMER PROTECTION LAWS.**

Very Truly Yours,

/s/ Joshua P. Ward, Esq.

Joshua P. Ward, Esq.
Direct Dial: (412) 545-3015
Email: jward@fentersward.com

JPW/slk
cc: Michele Serfass



Firm Mailing Book For Accountable Mail

Name and Address of Sender The Law Firm of Porters Ward 201 South Highland Ave. Suite 201 Pittsburgh, PA 15206		Check type of mail or service <input type="checkbox"/> Adult Signature Required <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation <input type="checkbox"/> Collect on Delivery (COD) <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.											
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. Michele Serfass CV-33 Import to Defend Entry of Appearance Re Dispute Letter	VNV 4 Gregg Morris Pittsburgh, PA 15206 501 Corporate Dr Suite 200 Carnegie, PA 15317			Handling Charge over \$50.00 in value											
								Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling	
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)													

EXHIBIT C

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF Lehigh



**ENTRY OF APPEARANCE
PURSUANT TO PARCPMDJ
207.1(A)**

Mag. Dist No 31-1-07
MDJ Name. Honorable Todd P. Heffelfinger
Address: 3678 Crescent Court East
Whitehall, PA 18052
Telephone: (610) 437-6096

LVNV Funding LLC

v.

Michele Serfass

Docket No. CV-033-2020

Case Filed: 02/03/20

TO THE MAGISTERIAL DISTRICT COURT:

Please enter my appearance on behalf of defendant Michele Serfass
In the above captioned matter.

Attorney Name: Brian J Fenters

Supreme Court of Pennsylvania Attorney Identification Number: 320202

Firm Name: The Law Firm of Fenters Ward

Address: 201 South Highland Ave., Suite 201

City, ST, Zip: Pittsburgh, PA 15206

Telephone Number: (412) 545-3016

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Brian J Fenters

Signature of Applicant

02/28/20

Date





THE LAW FIRM OF
FENTERS WARD
A I M T O W I N

201 SOUTH HIGHLAND AVE., SUITE 201
PITTSBURGH, PA 15206

BRIAN FENTERS, ESQ.
JOSHUA WARD, ESQ.

MANAGING PARTNERS
412-545-3016 OFFICE
412-540-3399 FAX

February 28, 2020

Magisterial District Number: 31-1-07

Honorable Todd P. Heffelfinger

3678 Crescent Court East

Whitehall, PA 18052

Phone: 610-437-6096

Sent via: Fax 610-437-3462

**RE: CV-033-2020. LVNV Funding LLC, c/o Patenaude & Felix , A.P.C.
v Michele Serfass**

INTENT TO DEFEND NOTICE:

DEFENDANT INTENDS TO ENTER A DEFENSE. PLEASE CONSIDER THIS NOTICE PER
Pa. R. Civ. P. MAG DIST J RULE 305(4)(a).

PLEASE NOTIFY THE PLAINTIFF THAT DEFENDANT HAS ENTERED NOTICE TO
DEFEND PER Pa. R. Civ. P. MAG DIST J RULE 318.

ALSO, PLEASE UPDATE THE DOCKET TO SHOW THAT DEFENDANT INTENDS TO
DEFEND AS WELL AS OUR ENTRY OF APPEARANCE.

Sincerely,

/s/ Brian Fenters

Brian J. Fenters, Esq.
bfenters@fentersward.com
PA Bar# 320202
412-545-3016

BF/slk
CC: Michele Serfass

EXHIBIT D

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LEHIGHNOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

Mag. Dist. No: MDJ-31-1-07
 MDJ Name: Honorable Todd P. Heffelfinger
 Address: 3678 Crescent Court East
 Suite A
 Whitehall, PA 18052
 Telephone: 610-437-6096

LVNV Funding LLC C/O Patenaude & Felix,
 A.P.C.
 v.
 Michele Serfass

Brian J. Fenters, Esq.
 The Law Firm of Fenters Ward
 201 South Highland Avenue, Suite 201
 Pittsburgh, PA 15206

Docket No: MJ-31107-CV-0000033-2020
 Case Filed: 2/3/2020

Disposition Details

Disposition Summary (cc - Cross Complaint)

Docket No	Plaintiff	Defendant	Disposition	Disposition Date
MJ-31107-CV-0000033-2020	LVNV Funding LLC C/O Patenaude & Felix, A.P.C.	Michele Serfass	Judgment for Defendant	07/01/2020

Comments:

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS OR THE PHILADELPHIA MUNICIPAL COURT, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS OR THE PHILADELPHIA MUNICIPAL COURT AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS OR THE PHILADELPHIA MUNICIPAL COURT, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

Date

07/01/20

Magisterial District Judge Heffelfinger

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

Date

Magisterial District Judge



LVNV Funding LLC C/O Patenaude & Felix, A.P.C.

Docket No.: MJ-31107-CV-0000033-2020

Michele Serfass

Participant List

Private(s)

Brian J. Fenters, Esq.
The Law Firm of Fenters Ward
201 South Highland Avenue, Suite 201
Pittsburgh, PA 15206

Plaintiff(s)

LVNV Funding LLC C/O Patenaude & Felix, A.P.C.
501 Corporate Drive
Southpointe Center
Suite 205
Canonsburg, PA 15317

Defendant(s)

Michele Serfass
3028 S 5th Ave
Whitehall, PA 18052

Complainant's Attorney(s)

Timothy Thomas Graham, Esq.
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Canonsburg, PA 15317



**CONFIDENTIAL
DOCUMENT FORM***Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*

204 Pa. Code § 213.81

www.pacourts.us/public-recordsMICHELE SERFASS

(Party name as displayed in case caption)

AR-21-002525

Docket/Case No.

Vs.

LVNV FUNDING, LLC

(Party name as displayed in case caption)

Common Pleas Allegheny

Court

This form is associated with the pleading titled COMPLAINT, dated June 14, 2021.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached shall not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian. **Please only attach documents necessary for the purposes of this case.** Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input checked="" type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input type="checkbox"/> Credit card statements	
<input checked="" type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	Exhibit E
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input type="checkbox"/> Loan application documents	
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Joshua P. Ward

Signature of Attorney or Unrepresented Party

06/14/21

Date

Name: Joshua P. WardAttorney Number: (if applicable) 320347Address: 201 South Highland Avenue, Suite 201Telephone: (412) 545-3015Pittsburgh, PA 15206Email: jward@jpward.com

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

MICHELE SERFASS,

Plaintiff,

vs.

LVNV FUNDING, LLC,

Defendant.

CIVIL DIVISION

ELECTRONICALLY FILED

Case No. AR-21-002525

**CONFIDENTIAL EXHIBIT TO
COMPLAINT IN CIVIL ACTION
EXHIBIT E**

Filed on Behalf of Plaintiff:
Michele Serfass

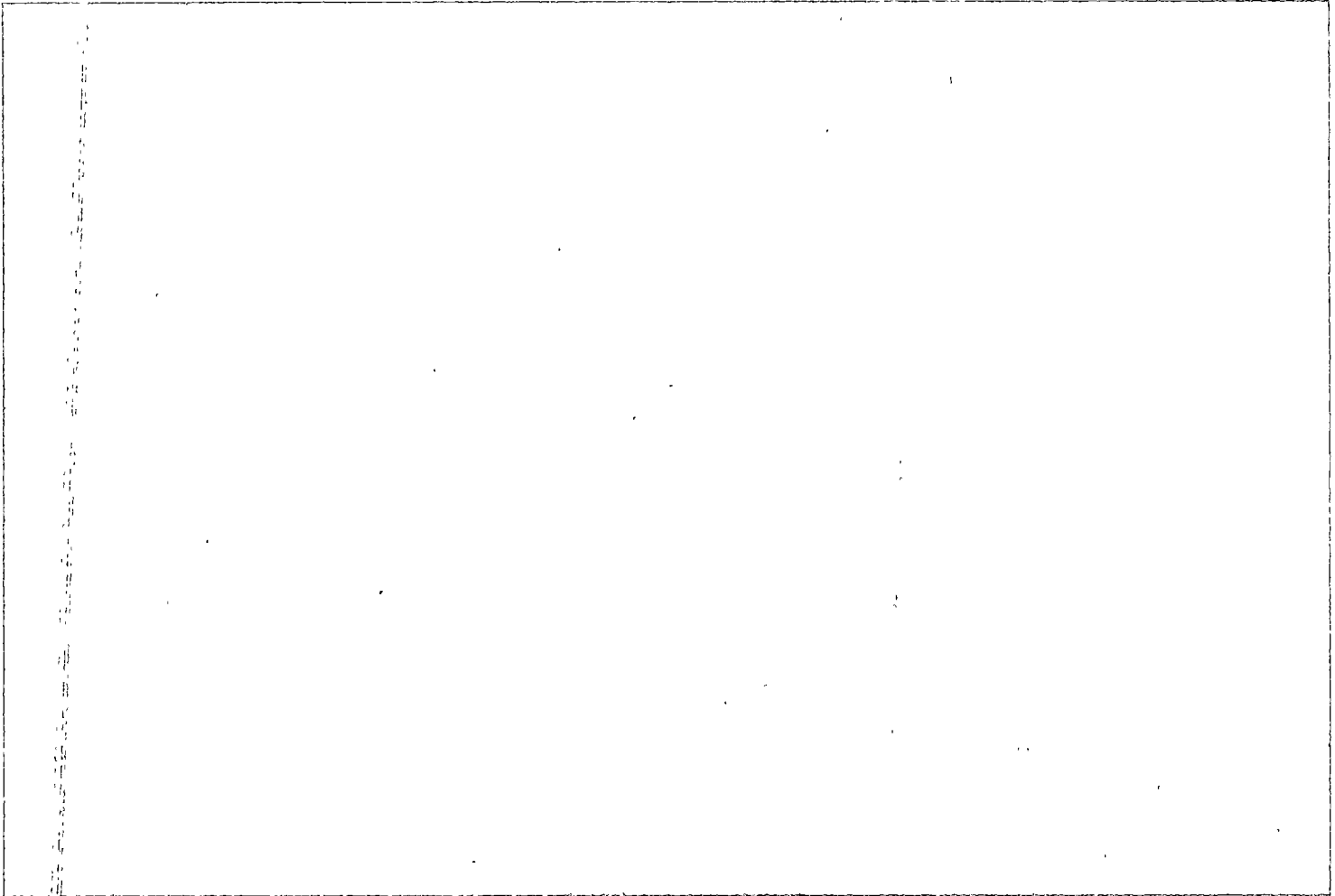
Counsel of Record for this Party:
J.P. WARD & ASSOCIATES, LLC

Joshua P. Ward
Pa. I.D. No. 320347

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Fax No.: (412) 540-3399
E-mail: jward@jpward.com

EXHIBIT E



LVNV FUNDING LLC #444796226266****
 C/O RESURGENT CAPITAL SERVICESPO BOX 1269
 GREENVILLE, SC 29603
 (866) 464-1183

Placed for collection:	08/16/2017	Balance:	\$1,331	Pay Status:	>In Collection<
Responsibility:	Individual Account	Date Updated:	08/05/2020		
Account Type:	Open Account	Original Amount:	\$1,331		
Loan Type:	DEBT BUYER	Original Creditor:	CREDIT ONE BANK		
			N A		
		Past Due:	>\$1,331<		

Remarks: Account information disputed by consumer (FCRA), >PLACED FOR COLLECTION<
 Estimated month and year that this item will be removed: 09/2023



VERIFICATION

I, JOSHUA P. WARD, ESQ., have read the foregoing COMPLAINT and verify that the statements therein are correct to the best of my personal knowledge, information, and/or belief. I have gained this information from discussions with Plaintiff. This verification is made on behalf of Plaintiff. Plaintiff will produce their verification if/when there is an objection by Defendant or upon directive from the court.

I understand that this verification is made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities, which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Respectfully submitted,

J.P. WARD & ASSOCIATES, LLC

By: 

Joshua P. Ward (Pa. I.D. No. 320347)

Kyle H. Steenland (Pa. I.D. No. 327786)

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The Rubicon Building
201 South Highland Avenue
Suite 201
Pittsburgh, PA 15206

Counsel for Plaintiff

Date: June 14, 2021